



**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/045,389
Filing Date	November 9, 2001
First Named Inventor	Marshall R. Porter
Art Unit	1732
Examiner Name	Suzanne E. McDowell
Attorney Docket Number	03251.00014

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0733
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Robert H. Resis	Registration No. (Attorney/Agent)	32,168
Signature		Date	January 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)	_____
Signature	_____
Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FEE TRANSMITTAL for FY 2004		Complete if Known	
		Application Number	10/045,389
Effective 10/01/2003. Patent fees are subject to annual revision.		Filing Date	November 9, 2001
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		First Named Inventor	Marshall R. Porter
TOTAL AMOUNT OF PAYMENT (\$) 770		Examiner Name	Suzanne E. McDowell
		Art Unit	1732
		Attorney Docket No.	03251.00014

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)									
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order		3. ADDITIONAL FEES									
<input checked="" type="checkbox"/> Deposit Account:		<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code</td><td>Fee Code</td></tr><tr><td>Fee (\$)</td><td>Fee (\$)</td></tr><tr><td>Fee Description</td><td>Fee Paid</td></tr></tbody></table>		Large Entity	Small Entity	Fee Code	Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
Large Entity	Small Entity										
Fee Code	Fee Code										
Fee (\$)	Fee (\$)										
Fee Description	Fee Paid										
Deposit Account Number: 19-0733		1051 130 2051 65 Surcharge - late filing fee or oath									
Deposit Account Name: Banner & Witcoff, LTD.		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.									
The Director is authorized to: (check all that apply)		1053 130 1053 130 Non-English specification									
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1812 2,520 1812 2,520 For filing a request for reexamination									
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action									
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action									
FEE CALCULATION		1251 110 2251 55 Extension for reply within first month									
1. BASIC FILING FEE		1252 420 2252 210 Extension for reply within second month									
<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code</td><td>Fee Code</td></tr><tr><td>Fee (\$)</td><td>Fee (\$)</td></tr><tr><td>Fee Description</td><td>Fee Paid</td></tr></tbody></table>		Large Entity	Small Entity	Fee Code	Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid	1253 950 2253 475 Extension for reply within third month	
Large Entity	Small Entity										
Fee Code	Fee Code										
Fee (\$)	Fee (\$)										
Fee Description	Fee Paid										
1001 770 2001 385 Utility filing fee		1254 1,480 2254 740 Extension for reply within fourth month									
1002 340 2002 170 Design filing fee		1255 2,010 2255 1,005 Extension for reply within fifth month									
1003 530 2003 265 Plant filing fee		1401 330 2401 165 Notice of Appeal									
1004 770 2004 385 Reissue filing fee		1402 330 2402 165 Filing a brief in support of an appeal									
1005 160 2005 80 Provisional filing fee		1403 290 2403 145 Request for oral hearing									
SUBTOTAL (1) (\$) 0		1451 1,510 1451 1,510 Petition to institute a public use proceeding									
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1452 110 2452 55 Petition to revive - unavoidable									
Total Claims: * = 0 X = 0		1453 1,330 2453 665 Petition to revive - unintentional									
Independent Claims: * = 0 X = 0		1501 1,330 2501 665 Utility issue fee (or reissue)									
Multiple Dependent: X = 0		1502 480 2502 240 Design issue fee									
<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code</td><td>Fee Code</td></tr><tr><td>Fee (\$)</td><td>Fee (\$)</td></tr><tr><td>Fee Description</td><td>Fee Paid</td></tr></tbody></table>		Large Entity	Small Entity	Fee Code	Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid	1503 640 2503 320 Plant issue fee	
Large Entity	Small Entity										
Fee Code	Fee Code										
Fee (\$)	Fee (\$)										
Fee Description	Fee Paid										
1202 18 2202 9 Claims in excess of 20		1460 130 1460 130 Petitions to the Commissioner									
1201 86 2201 43 Independent claims in excess of 3		1807 50 1807 50 Processing fee under 37 CFR 1.17 (q)									
1203 290 2203 145 Multiple dependent claim, if not paid		1806 180 1806 180 Submission of Information Disclosure Stmt									
1204 86 2204 43 ** Reissue independent claims over original patent		8021 40 8021 40 Recording each patent assignment per property (times number of properties)									
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1809 770 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))									
SUBTOTAL (2) (\$) 0		1810 770 2810 385 For each additional invention to be examined (37 CFR § 1.129(b))									
*or number previously paid, if greater; For Reissues, see above		1801 770 2801 385 Request for Continued Examination (RCE) 770									
		1802 900 1802 900 Request for expedited examination of a design application									
		Other fee (specify) _____									
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 770									

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Robert H. Resis	Registration No. (Attorney/Agent)	32,168
Signature		Telephone	(312) 463-5000
		Date	January 30, 2004

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